

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

BEN ROTEN,	:
	:
Plaintiff,	:
	:
v.	: Civ. Action No. 08-081-JJF
	:
DR. LAWRENCE MCDONALD,	:
	:
Defendant.	:

**MEMORANDUM ORDER**

Pending before the Court are Plaintiff's Motion For Production and Request For Counsel. (D.I. 71, 72.)

Plaintiff Ben Roten, ("Plaintiff"), an inmate currently incarcerated at the James T. Vaughn Correctional Center filed this lawsuit pursuant to 42 U.S.C. § 1983 alleging violations of his constitutional rights. Plaintiff proceeds pro se and has been granted leave to proceed in forma pauperis.

On November 30, 2009, the Court entered Judgment in favor of Defendant and against Plaintiff. On December 9, 2009, Plaintiff filed a Notice of Appeal. On December 4, 2009, prior to filing his appeal, Plaintiff filed the pending Motions. Inasmuch as judgment has been entered on behalf of Defendant, the Court will deny the Motions as moot.

IT IS THEREFORE ORDERED that:

1. Plaintiff's Motion For Production is **DENIED** as **moot**.

(D.I. 71.)

2. Plaintiff's Request for Counsel is **DENIED** as **moot**. (D.I. 72.)

1/4/2010  
DATE

Joseph J. Faanon Jr.  
UNITED STATES DISTRICT JUDGE